

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

MICHAEL MAYO (20181127027),	)	
	)	
Plaintiff,	)	Case No.: 1:21-cv-05014
	)	
v.	)	Judge John J. Tharp, Jr.
	)	
TOM DART,	)	
	)	
Defendant.	)	

**DEFENDANT’S SECOND AGREED MOTION FOR EXTENSION OF  
TIME TO ANSWER OR OTHERWISE PLEAD TO PLAINTIFF’S  
SECOND AMENDED COMPLAINT**

NOW COMES Defendant TOM DART, by and through his attorneys, DeVore Radunsky LLC, pursuant to Fed. R. Civ. P. 6(b), and for Defendant’s Second Agreed Motion for Extension of Time to Answer or Otherwise Plead to Plaintiff’s Second Amended Complaint, states as follows:

1. Defendant’s Counsel met with Plaintiff on January 23, 2023, and Plaintiff agreed to this 2<sup>nd</sup> Motion for Extension of Time during the meeting.
2. In that meeting, Plaintiff expressed that he would soon be seeking to file an amended complaint.
3. On September 1, 2022, Plaintiff filed his First Amended Complaint. (Dkt. #11).
4. On November 8, 2022, Plaintiff filed his Second Amended Complaint (“SAC”). (Dkt. #18).
5. On December 5, 2022, this Court issued an order accepting Plaintiff’s SAC and instructing Defendant Tom Dart to answer the SAC by December 23, 2022. (Dkt. #21).
6. On December 9, 2022, Defendant filed the **Agreed Motion for Extension of Time to Answer or Otherwise Plead to Plaintiff’s Second Amended Complaint**. (Dkt. #23).

7. On December 12, 2022, this Court issued an order granting Defendant's Agreed Motion for Extension of Time to Answer or Otherwise Plead to Plaintiff's Second Amended Complaint, giving Defendant until January 30, 2023, to file his answer or other responsive pleading to the SAC. (Dkt. #24).
8. Defendant Tom Dart now requests a 28 (twenty eight) day extension, until February, 27, 2023, to file his answer or other responsive pleading to the SAC.
9. Counsel for Defendants are currently drafting an Appellate Reply Brief that is due on February 3, 2023, in the matter entitled, *GuideOne v. Presbytery of Chicago*, Case No. 1-22-0235. An extension is not possible.
10. Defendant's counsel is additionally working on a Reply Brief in Support of a Motion for Summary Judgment that is due on January 23, 2023, in in the matter entitled, *Arquero v. Dart et al.*, Case No. 1:19-cv-01528.
11. Defendant's Counsel also has a Response Brief in Opposition to a Motion to Bar Records and for Sanctions that is due on January 31, 2023, in the matter entitled *Dukes v. Cook County Sheriff's Office, et al.*, Case No. 1:17-cv-07095.
12. Under Rule 6(b), this Court may, for good cause, extend the time "[w]hen an act may or must be done." Fed. R. Civ. P. 6(b).
13. Not granting an extension of time for Defendant's Answer or other responsive pleading would prejudice Defendant because the January 30, 2023, due date does not allow sufficient time to properly prepare and submit Defendant's answer or other responsive pleading under the circumstances.
14. Granting an extension of time will not prejudice any party and this motion is not brought for undue delay or any improper purpose

WHEREFORE, Defendant respectfully requests that this Honorable Court enter an order as follows:

1. Defendant's Second Motion for Extension of Time is granted;

2. Defendant's Answer or Other Responsive Pleading to Plaintiff's Second Amended Complaint shall be filed by February 27, 2023

Respectfully Submitted,

**TOM DART**

By: /s/ Jason E. DeVore  
Jason E. DeVore, One of the Attorneys  
for Defendant

**DEVORE RADUNSKY LLC**

Jason E. DeVore (ARDC # 6242782)  
Troy S. Radunsky (ARDC # 6269281)  
230 W. Monroe Street, Ste. 230  
Chicago, IL 60606  
(312) 300-4479 telephone  
[jdevore@devoreradunsky.com](mailto:jdevore@devoreradunsky.com)  
[tradunsky@devoreradunsky.com](mailto:tradunsky@devoreradunsky.com)

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certifies that Defendant's Motion for Extension of Time to File Answer or Other Responsive Pleading was filed on January 24, 2023, with the Northern District of Illinois ECF System, serving a copy to all parties.

/s/Zachary Stillman  
Zachary Stillman